



UNION COUNTY UTILITIES AUTHORITY

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RESOLUTION NO.: 67-2023

DATE: October 18, 2023

RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY APPROVING UPDATES TO THE AUTHORITY'S EMPLOYEE HANDBOOK AND PERSONNEL POLICIES AND PROCEDURES MANUAL

APPROVED AS TO FORM:

Bianka Vargas
Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS

YES NO NONE REQUIRED
UNION COUNTY UTILITIES AUTHORITY

By: *Bianka Vargas*

By: *John Luff*

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
Eastman, Treasurer	✓		✓				✓
Figueiredo	✓		✓				
Jackus	✓		✓				
Kahn	✓		✓			✓	
Holder	✓		✓				
McManus, Secretary	✓		✓				
Rachlin	✓		✓				
Scutari, Vice Chairperson	✓		✓				
Szpond, Chairperson	✓		✓				
Alma, Alternate No. 1	✓						
Scott-Bey, Alternate No. 2	✓						

**RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY
APPROVING UPDATES TO THE AUTHORITY'S EMPLOYEE HANDBOOK AND
PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, the Authority participates in the Municipal Excess Liability/Joint Insurance Fund ("MEL/JIF"); and

WHEREAS, the MEL/JIF offers an Incentive Program ("Program") participation in which enables the Authority to significantly reduce certain premiums and deductible payments in the event of its participation in a lawsuit; and

WHEREAS, participation in the Program requires periodic updates to both the Authority's Employee Handbook ("Handbook") and Personnel Policies and Procedures Manual ("Manual"); and

WHEREAS, the Authority's general counsel has prepared proposed updates to the currently existing Handbook and Manual, which satisfy the requirements of the Program; and

WHEREAS, the PPI Committee, following a review of the proposed updates to the Handbook and Manual recommends that the revisions in the attached summary be approved and incorporated into the Handbook and Manual so that the Authority may continue to participate and enjoy the benefits of remaining in the Program; and

WHEREAS, the Board of Commissioners, accepts the recommendations of its counsel and the PPI Committee.

NOW, THEREFORE, BE IT RESOLVED, by the Union County Utilities Authority, as follows:

Section 1. The revisions to the Employee Handbook and Personnel Policies and Procedures Manual in substantially the same form as is attached to this Resolution are hereby approved, effective immediately.

Section 2. The Authority directs the Acting Executive Director to notify all employees of this action and to provide all employees with a copy of the revised Employee Handbook and provide all applicable employees with a full copy of the revised Personnel Policies and Procedures Manual as soon as practicable.

Section 3. The Authority further authorizes the Acting Executive Director, with the assistance of counsel as deemed necessary, to provide all required documentation to the MEL/JIF and take all other steps necessary to ensure continued participation in the Program and implementation of the policies approved by way of this resolution.

Section 4. This resolution shall take effect immediately.

OCTOBER 2023 UPDATES TO EMPLOYEE HANDBOOK

ATTENDANCE AND PUNCTUALITY

Punctual, daily attendance is required of each employee. All employees must, in the event of absence or lateness, notify their supervisor ~~no later than no later than fifteen (15) minutes after~~ at least one (1) hour prior to the start of their normal reporting time on each day of absence. Employees must speak directly with their immediate supervisor or with another supervisor. If necessary, employees may notify their direct supervisor through a voice mail or e-mail, provided that the employee then speaks directly with their supervisor or another supervisor within four (4) hours after the start of their normal reporting time. In the event of an unforeseen emergency which prevents an employee from complying with the above requirements, the employee must notify their supervisor as soon as possible.

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PERSONNEL RECORDS

The official personnel file for each employee shall be maintained by the Executive Director. Personnel files are confidential records which are secured in a locked cabinet and will only be available to authorized managerial and supervisory personnel of the UCUA as is deemed necessary, and shall only be provided to sources outside of the UCUA when required to be disclosed in response to a lawful request from a law enforcement agency, a representative of the United States Armed Forces, or as required by court order or any other law. Records relating to any medical condition will be maintained in a separate file for each employee, and will be kept confidential. Any electronic personnel and medical records will be protected from unauthorized access.

Employees have the right, with reasonable notice, after submitting a written request to the Executive Director, to inspect their own personnel file. Employees may review their file during normal working hours in the presence of the Executive Director or his designee, but do not have the right to insert or remove anything from the file, or to make photocopies of the contents of the file.

Additionally, all inquiries and written requests for references or employment verification from current or former employees, prospective employers of current or former employees, governmental agencies, or other organizations such as a financial or lending institution, should be directed to the Executive Director. In a response to a request for information, the UCUA will only verify an employee's name, dates of employment, job title, department, status, and salary. No

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other data or information will be furnished unless: (i) the UCUA is required to release the information by law; or (ii) the employee or former employee authorizes the UCUA, in writing, to furnish this information and releases the UCUA from liability.

Employees have a duty to help UCUA keep their personnel records up to date by notifying the Executive Director or his/her designee of all changes concerning the following:

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CAUSES FOR DISCIPLINARY ACTIONS

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The following list identifies some of the actions which shall constitute cause for disciplinary action, including discharge from employment:

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5. Possession, use or being under the influence of alcohol or ~~illegal~~ drugs (including prescription medications used improperly) while on duty or on UCUA property;

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PERSONAL DAYS

Full-time ~~Employees~~ will receive three (3) paid personal days per calendar year, awarded as of January 1st in anticipation of continued employment through the year. Newly hired full-time employees are eligible for personal days during the first year of their employment as follows:

1. One day after four months of employment;
2. One additional day after eight months of employment;
3. One final day may be granted during the tenth through twelfth months of employment.

Part-time employees will also receive paid personal days as of January 1st in anticipation of continued employment through the year, which will be awarded on a pro-rata basis as follows: employees who work more than twenty (20) but fewer than thirty-five (35) hours in a typical week will receive two (2) paid personal days per calendar year; and employees who work twenty (20) or fewer hours in a typical week will receive one (1) paid personal day per calendar year. Newly hired part-time employees who work more than twenty (20) hours in a typical week are eligible for one (1) personal day during their first year of employment, after four (4) months of employment.

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There shall be no carryover of unused personal time from year to year. An employee who has resigned, was dismissed or has otherwise been separated from employment will not be paid for any unused personal time.

Requests for use of personal day(s) must be submitted in writing to the Executive Director through your supervisor at least forty-eight (48) hours days in advance; for personal time to be taken in the months of November and December, a written request must be submitted to the Executive Director through your supervisor no later than October 15th.

Each supervisor is required to review the request and submit his/her written recommendations to the Executive Director. All requests will be reviewed by the Executive Director or designee, and his/her determination to approve, modify or deny will be final. Requests made on shorter notice, or for emergencies, may be granted on a case by case basis, subject to the approval of the Executive Director or designee.

Paid time off for personal days shall not count as hours worked for purposes of calculating eligibility for overtime.

**MEDICAL AND FAMILY LEAVES OF ABSENCE,
INCLUDING MILITARY CAREGIVER LEAVE**

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Eligible employees may request up to twelve (12) weeks of unpaid family leave during any rolling twelve (12) month period to:

1. care for a newly born child or a child newly placed for adoption or foster care, ~~or~~
2. care for a family member (child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, domestic partner, or one partner in a civil union couple, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship) suffering from a Serious Health Condition which renders the family member unable to work, attend school, or to care for him/herself, ~~or~~
3. in the event of a state of emergency declared by the Governor, or when indicated to be needed by the Commissioner of Health or other public health authority, an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease, which:
 - (a) requires in-home care or treatment of a child due to the closure of the school or place of care of the child of the employee, by order of a public official due to the epidemic or other public health emergency;

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(b) prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by the employee, would jeopardize the health of others; or

(c) results in the recommendation of a health care provider or public health authority, that a family member in need of care by the employee voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care by the employee, would jeopardize the health of others.

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OCTOBER 2023 UPDATES TO POLICIES AND PROCEDURES MANUAL

**Policy # 1.1
UNION COUNTY UTILITIES AUTHORITY
EQUAL EMPLOYMENT OPPORTUNITY POLICY**

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DEFINITIONS:

A. "Protected Group Status" shall include race, religion, color, creed, national origin, ancestry, age, sex, gender or gender identity, affectional or sexual orientation, marital or civil union or domestic partnership status, political affiliation, liability for service in the United States Armed Forces, status as a Vietnam-era or special-disabled veteran, atypical hereditary cellular or blood trait, physical or mental disability, pregnancy (including pregnancy related medical condition), breastfeeding, childbirth, genetic information, or any other protected group status under applicable law.

**Policy # 1.6
UNION COUNTY UTILITIES AUTHORITY
ALCOHOL AND DRUG-FREE WORKPLACE POLICY**

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D. The UCUA reserves the right to require any employee to submit to a drug and/or alcohol screening exam where the UCUA has reasonable individualized suspicion that a specific employee is under the influence of a Controlled Substance while working. The UCUA also reserves the right to conduct pre-employment drug testing.

1. Any employee, who is required to possess a commercial driver's license (CDL) as part of his/her position, also will be subject to random drug testing in accordance with the procedures established by the U.S. Department of Transportation.
2. In the event of an accident at work, the UCUA may require any employee involved to submit to a drug and/or alcohol testing even in the absence of any reasonable individualized suspicion.

3. As it relates to cannabis, an employee will be subject to adverse action if there is both a positive drug test, confirmed by a licensed laboratory, and a determination of reasonable suspicion based on documentation of physical signs or other evidence of impairment during the employee's work hours. When the New Jersey Cannabis Regulatory Commission issues standards for certification of a Workplace Impairment Recognition Expert ("WIRE"), an employee will be subject to adverse action if there is both a positive drug test and a physical evaluation by a WIRE.

3.4. Any employee whose screening exam produces a positive result will be subject to disciplinary action, which may include termination of employment. A refusal to submit to a screening examination will be considered the same as a positive test result.

4.5. Applicants for non-CDL positions will not be denied employment based solely on a positive pre-employment drug test for cannabis, unless the UCUA is specifically required to test for cannabis by the terms of a federal contract or federal grant.

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**Policy # 3.3
UNION COUNTY UTILITIES AUTHORITY
PERSONAL LEAVE POLICY**

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A. **Earning Personal Days**

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5. An employee who has resigned, was dismissed or has otherwise been separated from employment will not be paid for any unused personal time.

**Policy # 2.2
ATTENDANCE AND PUNCTUALITY POLICY**

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PROCEDURES FOR IMPLEMENTATION:

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C. All employees must, in the event of absence or lateness, notify their supervisor ~~no later than no later than fifteen (15) minutes after~~ at least one (1) hour prior to their normal reporting time on each day of absence.

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**Policy # 3.8
MEDICAL AND FAMILY LEAVES OF ABSENCE (INCLUDING MILITARY
CAREGIVER LEAVE) POLICY**

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FAMILY LEAVE

A. Eligibility

1. In order to be eligible for family leave, employees must have been employed by the UCUA for at least twelve (12) consecutive months, must worked at least 1000 hours in the twelve (12) months immediately prior to the first day of leave, and the purpose of the requested leave must satisfy one of the following conditions:

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c. In the event of a state of emergency declared by the Governor, or when indicated to be needed by the Commissioner of Health or other public health authority, an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease, which:

(i) requires in-home care or treatment of a child due to the closure of the school or place of care of the child of the employee, by order of a public official due to the epidemic or other public health emergency;

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(ii) prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by the employee, would jeopardize the health of others; or

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(iii) results in the recommendation of a health care provider or public health authority, that a family member in need of care by the employee voluntarily undergo self-quarantine as a result of suspected exposure to a

communicable disease because the presence in the community of that family member in need of care by the employee, would jeopardize the health of others.

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C. Duration of Family Leave

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5. Leave to care for a new child (including a newly born child, newly adopted child, or a child newly placed into foster care with the employee) may be consecutive, intermittent or reduced, but intermittent or reduced leave requires approval of the UCUA and will not automatically be granted.

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**Policy # 4.2
UNION COUNTY UTILITIES AUTHORITY
OVERTIME POLICY**

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DEFINITIONS:

A. Exempt Employees – Certain Employees holding executive, managerial, administrative or professional positions are ~~except~~ exempt from the overtime provisions of state and federal law. Employees whose annual compensation exceeds \$107,432 may also be exempt depending on their job duties. Exempt employees and are not eligible for overtime pay – neither cash nor compensatory time – regardless of how many hours they work. The Executive Director shall ensure that all Exempt Employees are notified of their exempt status.

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